

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
Western Division

FILED BY *PORT* D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

UNITED STATES OF AMERICA

-vs-

Case No. 2:04cr20289-B

BARRY FERGUSON

ORDER OF TEMPORARY DETENTION
PENDING HEARING¹ PURSUANT TO
BAIL REFORM ACT

Upon motion of the , it is **ORDERED** that a detention hearing is set for **WEDNESDAY, SEPTEMBER 14, 2005 at 2:45 P.M.** before United States Magistrate **Judge Diane K. Vescovo** in **Courtroom No. 5, Third Floor**, United States Courthouse and Federal Building, 167 North Main, Memphis, TN TN. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: September 9, 2005

Diane K. Vescovo

DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

¹If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror.

AO 470 (8/85) Order of Temporary Detention

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Notice of Distribution

This notice confirms a copy of the document docketed as number 61 in case 2:04-CR-20289 was distributed by fax, mail, or direct printing on September 12, 2005 to the parties listed.

Joseph C. Murphy
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Juni S. Ganguli
LAW OFFICES OF JUNI GANGULI
40 S. Main Ave.
Ste. 1540
Memphis, TN 38103

Honorable J. Breen
US DISTRICT COURT